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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,655	06/24/2003	Shigeki Nakahara	1247-0516P	1274
2292	7590	12/14/2007		
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER NGUYEN, MADELEINE ANH VINH	
			ART UNIT 2625	PAPER NUMBER
			NOTIFICATION DATE 12/14/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

## Office Action Summary

### Application No.

10/601,655

### Applicant(s)

NAKAHARA, SHIGEKI

### Examiner

Madeleine AV Nguyen

### Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on RCE filed on September 20, 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 01/19/06.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 20, 2007 has been entered.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shibata (US Patent No. 5,684,864) in view of Ozeki et al (US Patent No. 5,872,641) and Ritzerfeld (US Patent No. 4,129,073) and Nishi (Japanese Patent No. JP361084659).

Concerning claim 15, Shibata discloses a communication apparatus (Figs.3-4) comprising a communication device (16, Fig.3 or 4) for receiving an identification signal from an originating communication apparatus (100), and performing an output operation when the received identification signal from the originating communication apparatus coincides with a pre-stored identification signal (301-303, Fig.5; col. 5, lines 21-42); wherein the output operation includes

an operation of repeatedly printing a plurality of copies of an image data signal representing the entire document being received subsequent to the receipt of the identification signal on recording sheets.

Shibata does not directly teach that the identification signal identifying the originating communication apparatus. However, it was a matter of well known in the prior that in order to initiate a communication between two communication devices, each of the device should give its identification signal identifying the originating and terminating device in order to send and receive data information. Ozeki supports that well known in the prior art by teaching a well-known prior art of sending terminal identification (TSI) message wherein the sending communication device sends to the receiving device to identify the sending device with the terminal device. For each machine, the sending terminal identification is registered at a time of its installation of the device so that every time the sending device requests a communication with a different communication device, it should send the sending terminal identification to the terminating device so that the terminating device recognizes the sending device in order to respond back to the request. It would have been obvious to one skilled in the art at the time the invention was made as a matter of well-known in the art to consider the receiving communication device in Shibata receives an identification signal identifying an originating communication apparatus from the originating communication since Shibata teaches the communication between the originating and the receiving apparatuses wherein the originating specifically sends some command signals such as AT command, ATD command with information relating to the identification, status and the commands of the originating apparatus (col. 1, lines 38-60; col. 5, line 21 – col. 6, line 12).

Shibata teaches the grouping of the plurality of copies but failed to directly teach the grouping of the plurality of copies of the entire document into a plurality of groups. However, it was commonly known in the art that the plurality of copies of the entire document could be grouped into a plurality of different groups. Ritzerfeld supports that well-known in the prior art by disclosing a copy machine (Fig.1) which copies a plurality of copies and groups them into a plurality of groups for different uses or different destinations by adding different pre-printed sheets to distinguish different groups (Abstract; col. 1, lines 9-38-60; col. 2, line 34 – col. 3, line 28; col. 5, lines 6-68; col. 6, lines 4-13; col. 8, lines 37-62; col. 11, lines 31-56). It would have been obvious to one skilled in the art at the time the invention was made to combine the above teaching of Ritzerfeld to the Shibata in order to group the plurality of copies into plurality of groups according to a preset command since Shibata teaches different commands by using ATD command which can be preset by the user for high printing function, and since the printing function is performed on software application, modifications and variations are possible.

Shibata fails to teach that a number of copies repeatedly printed are pre-stored in the communication apparatus. Nishi discloses a system capable of controlling the number of copies of a document in such a manner that the number of copies preset in an IC card can be copied when the identification received from an input means is correct. It would have been obvious to one skilled in the art at the time the invention was made to combine the teaching of a number of copies repeatedly printed being pre-stored in an apparatus as taught in Nishi to the system in Shibata since both of them teach the reproduction of a number of copies when a received identification signal is coincided with a pre-stored identification in the system.

3. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shibata in view of Ozeki et al and Ritzerfeld and Nishi as applied to claim 15 above, and further in view of Hiroi et al (US Patent No. 5,269,503).

Concerning claim 16, Ritzerfeld further teaches a process of bundling each group of copies one by one (col. 9, lines 54 – col. 10, line 44; col. 11, lines 31-56).

Ritzerfeld fails to teach that the bundling of each group of copies one by one with a staple. However, it was commonly known in the art that, for copying a plurality of copies in different group, each copy can be stapled. Hiroi et al supports that well known in the prior art by teaching a sheet processing apparatus for aligning and stapling sheets discharged from an image forming apparatus such as a printer or any other kind of recording apparatus. Hiroi teaches, “bundles of remaining copies are automatically stapled ...” (col. 10, lines 45-51), “sorting (or grouping) of remaining bundles of copies is performed, and a stapling operation is completed if necessary.” (col. 20, lines 36-38), “post processing (sorting or grouping/stapling) for the remaining bundles is automatically performed again in the first sorter ...” (col. 20, lines 42-44). It would have been obvious to one skilled in the art at the time the invention was made to combine the above teaching of bundling each group of copies one by one with a staple taught in Hiroi to the system in Shibata in view of Ritzerfeld as a matter of well known in the prior art to bundle the plurality of copies one by one with staple and group them into a plurality of groups.

### ***Conclusion***


4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dweck et al (US Patent No. 5,307,176) discloses a system for storing and retrieving duplicate facsimile information in order to reproduce them in multiple fashions.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 571 272-7466. The examiner can normally be reached on Monday-Friday 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Madeleine AV Nguyen  
Primary Examiner  
Art Unit 2625

December 7, 2007